

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

**MOHAMMAD NAZMUL
HAQUE, RICK KELLEY, and
JOEY MACKE,**

Defendants.

8:21CR61

ORDER

This matter is before the court on defendant, Rick Kelley's unopposed Motion to Continue Trial [68]. Counsel needs additional time to conduct plea negotiations. For good cause shown,

IT IS ORDERED that the Motion to Continue Trial [68] is granted, as follows:

1. The jury trial, **for all three defendants**, now set for December 19, 2022, is continued to **March 21, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date** and **March 21, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny continuity of counsel and counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).
3. A party may object to this order by filing an "Objection to Magistrate Judge's Order" no later than **December 14, 2022**. The objecting party must comply with all requirements of NECrimR 59.2.

DATED: December 7, 2022.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge